

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68032 of 2019

Arising Out of PS. Case No.-1703 Year-2016 Thana- COMPLAINT CASE District- Araria

MD. MUSARRAF @ MD. MOSHARAF Son of Ainul Resident of Village -
Lahna Gosai, Bari Tola, P.S. - Araria, Dist.- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rukhsana Begam Daughter of Jullu Rahman Resident of Village - Lahna
Gosai Bari, P.S. - Araria, Dist.- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 14-12-2021 The affidavit filed by the State is taken on record.

Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no.2.

The petitioner seeks anticipatory bail in connection
with Complaint Case No. 1703 C of 2016 registered for the
offences under Section 498-A of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is ready to keep the opposite party no.2 with full
honour and dignity.

In such view of the matter, the petitioner is directed to
visit his *Sasural* and take opposite party no.2 with him before



29th of December, 2021 and, thereafter, both the parties will file an application in the Court below that they have amicably settled their disputes and they are staying together. The petitioner will also provide a separate mobile phone and number to opposite party no.2 from which she can talk to her parents as and when she desires.

On filing of the aforesaid application by both the parties in the Court below, the Court below will release the petitioner **on provisional bail for a period of three months** on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Araria in connection with Complaint Case No. 1703 C of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

After completion of three months, both the parties will again appear before the learned Court below. The Court below will verify the conduct of both the parties and thereafter take a decision either to confirm the provisional bail or to cancel the same in the facts of the case.

Till filling of the application by both the parties in the Court below, the interim protection granted to the petitioner vide



order dated 05.11.2019 shall continue to operate.

With the aforesaid observations and directions, this
bail petition is allowed.

(Sandeep Kumar, J)

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